

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:09CR571 CDP |
| |) | |
| JOEL PATRICK-BEY, et al., |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter is pending before the undersigned pursuant to 28 U.S.C. § 636(b) for pretrial matters. The Defendant was arraigned on October 1, 2009, and by pretrial order directed to file pretrial motions no later than October 12, 2009. On October 12, 2009, the Defendant filed a motion for an extension of time to file motions which the undersigned granted to October 19, 2009. Further, on October 19, 2009, the Defendant filed a motion for two additional days to file pretrial motions. In support of the motion, counsel states that, due to his health issues, he has not had sufficient time to meet with the Defendant so that a decision can be made as to what pretrial motions need be filed in this matter. For this reason, the Defendant requests two additional days to file pretrial motions.

The undersigned believes, for the reasons set forth in the Defendant's motion, that denying the Defendant's motion would deny counsel for the Defendant the reasonable time necessary for effective preparation of any pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting this motion outweigh the best interest of the public and the Defendant in a speedy trial, and therefore, the time granted to prepare pretrial motions, or a

waiver thereof, is excluded from computation of the Defendant's right to a speedy trial pursuant to 18 U.S.C. § 3161(c)(1).

Accordingly,

IT IS HEREBY ORDERED that the Motion for Two Additional Days of Time to File Pretrial Motions or Waiver [Doc. #30–dated 10/19/09] be **granted**.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of October, 2009.